STATE OF LOUISIANA OFFICE OF FINANCIAL INSTITUTIONS BATON ROUGE, LOUISIANA

www.ofi.louisiana.gov

APPLICATION REQUIREMENTS FOR LICENSURE REPOSSESSION AGENCY

All o	f the following documents <u>must</u> be submitted before this application will be accepted for filing and processing:
	A check or money order payable to the Office of Financial Institutions (cash will not be accepted) in the amount of \$1,500 for the Repossession Agency Licensee Fee. This fee includes the Qualifying Agent. Note: All fees are nonrefundable.
	A check or money order payable to the Office of Financial Institutions (cash will not be accepted) in the amount of \$ (\$39.25 for each set of fingerprint cards submitted) for the background processing fee.
	Completed, signed, and notarized application.
	Proof of membership in approved association (see definition LAC 10:XV.1301(A) and attached list)
	Qualifying Agent must provide: Proof of designation as a certified recovery specialist from a recognized national certification program as per LAC 10:XV.1303(C)(1)(f). A legible copy of the Qualifying Agent's driver's license. Evidence of 3 years experience with a repossession agency within the previous five years as per LAC 10:XV.1303(C)(1)(e). Each year of experience shall consist of at least 1,000 hours of actual compensated work performed by the applicant with a repossession agency preceding the filing of an application. An applicant shall substantiate the claimed hours of qualifying experience by providing copies of IRS forms, W-2's or 1099's and the exact details as to the character and nature of duties by written certifications from the employer as per LAC 10:XV. 1303(F). In the event of inability of an applicant to supply the written certifications from the employer applicants may offer written certifications from other sources for consideration by the Commissioner. Certificate of Resolution designating the Qualifying Agent [Attachment E] Authority form [Attachment B] Employment and residential history [Attachments C & D]
	A copy of the surety bond or client protection bond as per LAC 10:XV.1303(B)(2).
	Financial Statement. signed by an authorized officer and includes balance sheet and income statement.
	Proof of Liability Insurance as per LAC 10:XV.1303(B)(3).
	2 copies of a Fingerprint Card for each person listed in Question 16.
	Louisiana State Police Criminal Identification and Information Form for each person submitting fingerprint cards. Louisiana State Police will not process incomplete forms. Incomplete forms will be returned. (Form included with application.)
	Authority form [Attachment B] for each person listed in Question 16.
	Employment and residential history [Attachments C & D] for each person listed in Question 16.
	Separate applications for each Repossession Agent/Apprentice.
	Commissioner may, as he deems necessary, conduct examinations to determine that rules, regulations, and statutes are g followed.
	act person regarding completion of this application: the Non-Depository Licensing Division 225-925-4660 or censing@ofi.la.gov or Fax: (225) 922-2860.
	Applications may be mailed or hand delivered to:

Office of Financial Institutions P. O. Box 94095 Baton Rouge, LA 70804-9095 Office of Financial Institutions 8660 United Plaza Boulevard – 2nd Floor Baton Rouge, LA 70809

INSTRUCTIONS APPLICATION FOR LICENSURE REPOSSESSION AGENCY

This application will <u>not</u> be considered complete until this Office receives <u>all</u> fees and required information. Failure to provide all documentation will result in increased processing time and possible denial of the application.

- No. 1 Full legal name of applicant. This is not an individual's name unless you are a sole proprietor. The name inserted on this line must be identical to the name filed with the Secretary of State. LAC 10:XV.1303(B)(5) states in part "No license shall be issued in any name other than its legal name." No. 2 Trade names and assumed names are not allowed. (i.e. d/b/a) No. 3 Street address of the office location that will appear on the face of the license. The mailing address of the applicant, if different from No. 3. If the mailing address of the applicant is the same as No. 3 No. 4 answer N/A. No. 5 Main office phone number, fax number, web site and/or e-mail address. Check the type of organization. Attach copies of Certificate of Authority, Articles of Incorporation or No. 6 Organization, Partnership Agreement and Bylaws, whichever is applicable. No. 7 Insert the state in which the applicant was originally registered and date that the applicant was incorporated, organized or formed. Out-of-state applicants must submit documentation evidencing that the company/entity is authorized to do No. 8 business in this state. (Registration Certificate from the proper authority such as the Secretary of State) No. 9 Self-explanatory No. 10 Must be one of the approved associations (see LAC 10:XV.1301(A)) Complete name, address, and phone number of the Registered Agent for Service of Process. (Sole Proprietor's answer No. 11 N/A) Registered Agent must be a person located in the state in which you are applying. Must match what was filed with the Louisiana Secretary of State. No. 12 Self-explanatory No. 13 Self-explanatory No. 14 Self-explanatory No. 15 List the states in which the applicant/registrant is conducting or has conducted similar business. No. 16 List the name, title, complete address, and percentage of ownership of each principal officer, director, manager,
- no. 16 List the name, title, complete address, and percentage of ownership of each principal officer, director, manager, member, partner, and all 10% or greater equity owners. Include Qualifying Agent. Additional sheets may be copied and attached if necessary. For purposes of this application, "equity owners" includes stockholders, members, partners, or limited partners that own equity in the business seeking licensure. If applicant is a subsidiary, list requested information for parent company. Qualifying Agent must be responsible officer or executive employee.
- No. 17 Self-explanatory
- No. 18 Information concerning the parent company if the applicant is a subsidiary and an organizational chart.

ALL ATTACHMENTS MUST BE SUBMITTED

TYPE OF LICENSE: APPLICATION FOR LICENSURE REPOSSESSION AGENCY 1. Full legal name of applicant (attach secretary of state certificate from the state in which you are applying): 2. Trade name, d/b/a, or assumed name of applicant, if applicable: Federal Tax I.D.#: (attach registration documentation/certificate) N/A (see LAC 10:XV. 1303(B)(5)) Principal office street address: 3. City: State: Zip Code: Parish: 4. Mailing address (street or post office box): City: State: Zip Code: 5. Business phone number: Business fax number: E-mail address: Web site: www. Type of Organization: 6. Corporation Sole Proprietorship Limited Liability General Partnership Limited Liability Partnership Company (LLC) Other (Explain) 7. State/Commonwealth of Incorporation: Date of Incorporation/Organization: 8. If a foreign corporation or other type of legal entity, state the date that the entity filed with the proper state authority in which the applicant is applying. (e.g. secretary of state), if so required: 9. Physical address of location at which the official books and records of the applicant are kept: City: State: Zip Code: Phone No: Name of Approved Association: (attach a copy of the certificate) (see LAC 10.XV.1301(A)) 10. Address: City: State: Zip Code: Phone No.: Registered agent for service of legal process: (must be located in state/commonwealth in which you are applying) 11. This should be the same as filed with the Louisiana Secretary of State. Name: Address: City: City: 12. Person authorized to answer questions pertaining to this application: Name: Address: Zip Code: Phone No.: City: State: E-Mail Address: Fax No.:

13. Person authorized to answer compliance issues:									
	Name:								
	Address:								
	City:		State:	Zip Code:		Phone No:			
	E-Mail Address:	L	Fax No):					
14.	Person authorized to answer consumer complaints:								
	Name:								
	Address:								
	City:	State:	Zip Co	de:	Phone No:				
	E-Mail Address:			Fax No:					
15.	List all states in which app (attach list if necessary)	licant is conducti	ng or has cor	nducted b	usiness related to this	application:			
			of business conducted Names under which applicant is or has operated			Original license date	Active or Inactive		
					•				
16.	List all principal officers a	nd title held (incl	uding the gus	alifying a	gent) directors mana	gers partners men	hers		
10.	(attach addendum if neces		uding the que	annynng u	gent), unectors, mana	gers, partners, men	10013.		
Name & Title		Principal Office Address			% Ownership				
Name & Title		Principal Office Address			% Ownership				
Name & Title		Principal Office Address			% Ownership				
Name & Title		Thirty Child Tables			1				
Name & Title		Principal Office Address			% Ownership				
Name & Title		Principal Office Address			% Ownership				
List al	l persons that have a 10% or	greater equity in	terest not list	ed above					
Name		Principal Offic	Principal Office Address			% Ownership			
Name		Principal Offic	Principal Office Address			% Ownership			
Name		Principal Offic	Principal Office Address			% Ownership			

17.	Read the following questions carefully. If the answer is yes to any of the questions, attach a full written explanation.					
A.	Include names, dates, court name and address, case number, judgement amounts. Are there any civil or criminal proceedings pending against the applicant or					
A.	civil or criminal convictions, plea of nolo contende	() Yes, attach explanation				
	charge entered against the applicant that involve th	() Tes, and emplanation				
	dealings or moral turpitude?	() No				
В.	Is/has the applicant ever been the subject of a bank	runtey assignment for				
Δ.	the benefit of creditors, receivership, conservatorsh	() Yes, attach explanation				
	proceeding?	_				
C.	Has any other state or federal government agency	denied the applicant a	() No			
C.	license or permit?	() Yes, attach explanation				
			() No			
D.	Is/has the applicant been the subject of any admini					
	enforcement proceeding by any state or federal gov		() Yes, attach explanation			
	involving fines, penalties, or the revocation or susp license or permit?	ension of any business	() No			
	ncense of permit:		() 140			
18.	Is applicant a subsidiary?	Yes	□ No			
	Parent company name:					
	Mailing address:					
	City:	State:	Zip Code:			
	If applicant's parent company is a corporation, state where and when incorporated.					
	State Incorporated:	Date Incorporated:				
IN AD	DITION TO ALL OF THE ABOVE, APPLICAN					
A.	Authority to Obtain Information from Outside Sour	ces on each person listed in	n question #16.(See Attachment B)			
B.	A current 10-year employment/experience form (See Attachment C) and Residential addresses for the last 10 years for					
C.	everyone listed in #16. (See Attachment D) Certificate of Resolution form designating the Qualifying Agent. (See Attachment E)					
D.	Financial Statement on the applicant to include balance sheet, Profit & Loss statement and changes in equity capital.					
E.	Copies of one of the following, whichever is applicable:					
	1. If applicant is a corporation, provide a copy of Articles of Incorporation, including amendments.					
	2. If applicant is a Limited Liability Company (LLC) provide a copy of the Articles of Organization and operating agreement. If no operating agreement exists provide a notice stating this, signed by the members.					
	3. If applicant is a general partnership or a Limite Agreement.	3. If applicant is a general partnership or a Limited Liability Partnership (LLP) provide a copy of the Partnership				

APPLICATION AFFIDAVIT					
Signed this	day of				
		Name o	of Company		
		By: Signature	are of Authorized Person		
		Print N	ame and Title		
****	******	******	********	******	
STATE OR CONCOUNTY /PAR	MMONWEALTH ISH OF	OF			
			came and appeared before m		
notary, and declar	red under oath that s	she/he is the	(Title)	of	
(Name of Com	pany)	, that	she/he is authorized to sign	and submit the attached	
		d representat	ions made therein are true ar	nd correct to the best of	
his/her knowledge	e, information and b	pelief.			
			Signature of the authorized person		
Sworn to and sub-	scribed before me o	n this the	day of		
			Notary Public		
(G 1)			Print Name of Notary Pul	blic	
(Seal)			My Commission Expires:	:	

CERTIFICATE OF RESOLUTION DESIGNATING THE QUALIFYING AGENT

This form must be completed by all applicants, except sole proprietors, and must include the applicant's full name.

organized under tl	ne laws of the State/Cor		name of applican		held at
Street address		City			Zip Code
	day of	•			
	resented and adopted, to e desire and purpose of			t/company	
to be licensed or r	egistered, BE IT RESO	LVED, that	Name a	nd Title of authorized rep	presentative
nas been designate	ed as the Qualifying A	gent.			
		AUTHORIZ (If corporation, this		ATURE signed by Secretary)	
		Print Name			
		TITLE :			

LOUISIANA OFFICE OF FINANCIAL INSTITUTIONS

8660 United Plaza Boulevard, 2nd Floor Baton Rouge, LA 70809 (225) 925-4660

FINGERPRINT CARD INFORMATION

Act 236 of the 2006 Regular Session of the Louisiana Legislature amended LSA-R.S. 6:121.2 effective June 2, 2006. This section authorizes the Commissioner of Financial Institutions to request and obtain state and national criminal history record information on any person applying for any license with the Office of Financial Institutions, as well as require any applicant for any license to submit two full sets of fingerprints in a form or manner prescribed by the Commissioner as a condition of the Commissioner's consideration of their application.

WHO MUST SUBMIT FINGERPRINT CARDS:

1) Owner(s): Sole Proprietors; partners and general partners, if partnership;

trustees; members and general members, if an LLC; and 10% or greater equity owners.

2) **Director(s):** All directors.

3) Officer(s): Chief Executive Officer, Chief Operating Officer, Chief Financial

Officer, President, Executive Vice President(s), Corporate Secretary, Treasurer, or individuals of similar status or function.

Repossession Agents: Includes Qualifying Agent and any Agents or Apprentices that that are applying for a license.

WHAT MUST BE SUBMITTED:

- 1) Two **original** Form FD 258 fingerprint cards or equivalent which can be obtained from your local law enforcement office. In addition to your fingerprints, the cards must have your Social Security Number, date of birth, printed name, and signature. If submitting cards done electronically (digital cards), the fingerprints on each card should be taken separately instead of taken once and printed out twice. A duplicated card that gets rejected may result in an additional \$39.25 processing fee and will delay the processing of the application.
- 2) \$39.25 nonrefundable criminal background processing fee made payable to the Office of Financial Institutions. (This fee is in addition to the application fee.)
- 3) Completed Authority to Obtain Information from Outside Sources form, signed and dated and notarized (included in application packet).
- **4)** Completed and signed Louisiana State Bureau of Criminal Identification and Information Form (included in application packet).

IMPORTANT NOTICE

Applicants submitting fingerprint cards that are smudged or unreadable will be required to resubmit new cards. This will add to the processing time of the application.

Fingerprints & Background Reports "FAQ"

•What is OFI's authority to require fingerprints and a FBI background check?

LSA-R.S. 6:121.2(B) states "The commissioner shall have the authority to:

- (1) Request and obtain state and national criminal history record information on any person applying for any license with the Office of Financial Institutions.
- (2) Require any applicant for any license to submit two full sets of fingerprints, in a form and manner prescribed by the commissioner, as a condition of the commissioner's consideration of his application..."

What is my fingerprint card used for?

The fingerprints will be used to check the criminal records of the FBI and Louisiana State Police.

• What happens to my fingerprint cards submitted to OFI?

All fingerprint cards are shredded immediately upon receipt of the criminal history report.

How is FBI information used?

The criminal history report received from the FBI is reviewed and considered as part of the overall character and fitness evaluation of an individual associated with a licensee regulated by OFI. Identification records obtained from the FBI may be used solely for the purpose requested and may not be disseminated outside OFI. If information on the record is used to disqualify an applicant, the official making the determination of suitability for licensing or employment shall provide the applicant the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record.

• How do I obtain a copy of, challenge or correct information in my FBI criminal history report? If you wish to obtain a copy of your FBI criminal history report, challenge information contained therein, correct or update the record as it appears in the FBI's CJIS Division Records System, be advised that the procedures are set forth in Title 28, CFR, Section 16.34 as cited below:

§ 16.34 Procedure to obtain change, correction or updating of identification records.

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D–2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Attachment [B] CON	FIDENTIAL			
AUTHORITY TO OBTAIN INFORMATION FROM OUTSIDE SOURCES				
THIS FORM MUST BE SUBMITTED FO	OR EACH PERSON LISTED IN QUESTION # 16			
Name:	Social Security #:			
	Drivers License #: (Attach a legible copy)			
Home Address, City, State, Zip Code:	(Attach a legible copy)			
Trome reducess, City, State, Zip Code.				
Date of Birth:	Home Telephone No:			
Read the following questions carefully. If the answer i Include names, dates, court name and address, case num	s "yes" to any of the questions, attach a full written explanation.			
Have you ever been convicted of, pleaded guilty to, or				
Contendere (no contest) to a felony, including any expunged, set aside or for which you received a first offer	which may have been			
Have you ever been convicted of, pleaded guilty to, or e	•			
Contendere (no contest) to any misdemeanor involving t				
dishonesty, including any which may have been expung				
which you received a first offense pardon?				
Have you been refused a license or permit to do business				
a similar law or subject to any enforcement proceedings				
government agency involving the revocation or suspensi	on of any business			
license or permit, fines or penalties?				
Have you been discharged for cause or been requested to employment position?	o resign from any () Yes, attach explanation () No			
Have you been the subject of a bankruptcy, assignment	for the benefit of () Yes, attach explanation () No			
creditors, receivership, conservatorship, or any similar proceeding?				
Are there any civil proceedings pending against you or o	civil judgments entered () Yes, attach explanation () No			
against you which involve fraud or dishonesty?				
Have any civil judgments been entered against you during				
I hereby authorize the licensing authority, to make inqui former employers, law enforcement agency and any other	ries from any financial institution, credit bureau, current and			
information they have, including without limitation my creditworthiness, character, ability, business activities,				
educational background, general reputation, history of my employment, and in the case of former employers, complete				
	ng my financial responsibility, character and fitness in connection			
	ion. I affirm that I have executed this form of my own free will			
and have read and understand the items and instructions; my answers (including attachments) are true and complete to				
	et to administrative, civil or criminal penalties if I give false or			
misleading answers. FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL				
OR REVOCATION.				
I hereby certify that the information on this form is, to the best of my knowledge, complete and accurate.				
SUBSCRIBED BEFORE ME ON THIS	_day of, 20			
A.T.				
AT:,				
(CITY) (STATE or COMMONWEALTH)				
PRINT NAME OF NOTARY PUBLIC:	SIGNATURE OF NOTARY PUBLIC:			
I MINI NAME OF NOTAKT TUBLIC:	SIGNATURE OF NOTART TUDERC:			

Louisiana State Police Bureau of Criminal Identification and Information Baton Rouge, Louisiana

FORMS MUST BE FILLED OUT IN INK AND BE REVIEWED BY SUBMITTING AGENCY/INDIVIDUAL FOR ACCURACY

****FINGERPRINTS ARE NECESSARY FOR A POSITIVE IDENTIFICATION**** ****PLEASE PRINT**** **Louisiana Office of Financial Institutions** Michelle Jeansonne FACILITY OR AGENCY FACILITY OR AGENCY AUTHORIZED REPRESENTATIVE P.O. Box 94095 MAILING ADDRESS SIGNATURE OF AUTHORIZED REPRESENTATIVE Baton Rouge, Louisiana 70804 (225) 925-4660 FACILITY OR AGENCY PHONE NUMBER STATE **Request For: (pick one only)** □ ADULT DAY CARE □ MEDICAL EXAMINERS □ ADULT RESIDENTIAL □ NURSING HOME □ ALCOHOL AND BEVERAGE COMMISSION □ OCS FOSTER/ADOPTIVE □ ALCOHOL BEVERAGE OUTLET □ OCS PERSONNEL □ AMBULANCE SERVICE **⊠OFFICE OF FINANCIAL INSTITUTIONS** □ CASA □ OFFICE OF PUBLIC HEALTH □ CONCEALED HANDGUNS □ PHARMACY BOARD □ CRIMINAL JUSTICE EMPLOYEE □ POSTSECONDARY EDUCATION □ DAYCARE □ PRACTICAL NURSING □ DENTISTRY BOARD □ PRIVATE ADOPTION □ DEPARTMENT OF LABOR □ PRIVATE INVESTIGATORS □ DEPARTMENT OF PUBLIC SAFETY □ PRIVATE SECURITY □ EMPLOYERS □ PUBLIC HOUSING □ FIREFIGHTERS □ PUBLIC TAG AGENT □ GAMING □ REGISTERED NURSING □ HOME HEALTH AGENCY □ RELIGIOUS ACTIVISTS □ HOSPICE □ RIVERBOAT PILOTS □ IMMIGRATION □ SCHOOL □ INTERMEDIATE CARE FACILITY FOR □ SENATE AND GOVERNMENTAL AFFAIRS MENTALLY RETARDED □ TAXI DRIVERS □ JUVENILE DETENTION CENTER □ USED MOTOR VEHICLE COMMISSION □ DEPARTMENT OF INSURANCE □ VOLUNTEERS WORKING WITH CHILDREN □ MANUFACTURED HOUSING APPLICANTS FULL NAME: ****PRINT – USE INK**** LAST FIRST MIDDLE {INCLUDE MAIDEN NAME & PREVIOUS MARRIED NAMES IF APPLICABLE} APPLICANTS SIGNATURE: ____ APPLICANTS SOCIAL SECURITY # _ _ - _ - _ DATE OF BIRTH: _ / _ / _ _ DRIVERS LICENSE #_____ & STATE ____ RACE ___ SEX ____

AUTHORIZATION TO DISCLOSE CRIMINAL HISTORY RECORDS INFORMATION

By my signature above, I hereby authorize the Louisiana State Police to release all pertinent criminal record information maintained in their files, other states files, or the FBI files (if applicable) which may confirm or deny my eligibility with the facility or agency named above.

TYPE OF OFI LICENSE APPLIED FOR

Attachment C				
NAME:				
COMPANY:				
EMPLOYMENT/EXPI				E LAST 10 YEARS 0% or greater equity owner of applicant
	y submit your own ude a complete 10	resume' a	s long as	it includes the information listed below.
Employer Name and Address	Position/Brief Description of Duties	Start Date	End Date	Reason for Leaving

Attachment D		
NAME:		
COMPANY:		
RESIDENTIAL ADDRES	SES FOR THE LAST	' 10 YRS
Each sole proprietor, officer, director, pequity owner of applicant must fill out this form. In years. Explain any gaps in residential history. (Attack	partner, member, manager an nclude Month and Year. In	d each 10% or greater nclude a complete 10
Residential Address	Start Date	End Date

CERTIFICATE OF RESOLUTION

Use this form to designate additional authorized individuals to act on behalf of the Licensee. Each person listed in the initial application as a director, manager, member, partner, sole proprietor, 10% or greater equity owner and/or executive officer (CEO, CFO, COO, President, EVP, Secretary, Treasurer, or individuals of similar status or function) will be considered authorized to prepare. execute, verify, and present to the Office of Financial Institutions ("OFI") a written application for licensure, registration, documents or subsequent changes in the licensee's records with OFI. Therefore, anyone listed in the initial application is not required to file this form. This is to certify that at a meeting of the Board of Directors/or Members/ or Partners of Full legal name of applicant/company organized under the laws of the State/Commonwealth of held at City Street address on the ______ day of ______ 20___, the following resolution was duly and legally presented and adopted, to wit: It being the desire and purpose of _____ Full legal name of applicant/company to be licensed or registered and maintain such license or registration, BE IT RESOLVED, that $\underline{\hspace{0.1cm}}$ who is the $\underline{\hspace{0.1cm}}$ Title of additional authorized representative Name of additional authorized representative of this \square limited liability company, \square corporation, \square limited partnership, or \square general partnership is in his/her official capacity, hereby authorized and directed to prepare, execute, verify, and present to OFI all requisite papers and documents, including, but not limited to, applications, reports, and licensing forms or subsequent changes in the licensee's records with OFI. **AUTHORIZED SIGNATURE** (If corporation, this form must be signed by the Secretary) **Print Name** TITLE: _____ DATE: _____

REPOSSESSION AGENCY ASSOCIATIONS

Allied Finance Adjusters Conference, Inc

PO Box 20708 Chicago, IL 60620-0708 1-800-621-3016 www.alliedfinanceadjusters.com

American Recovery Association, Inc

5525 N. MacArthur Blvd., Suite 135 Irving, Texas 75038 972-755-4755 972-870-5755 fax www.repo.org

National Finance Adjusters

P.O. Box 3855 Baltimore, Maryland 21217-0855 410-728-2400 410-523-8336 fax www.nfa.org

Time Finance Adjusters

728 Fentress Blvd.
Daytona Beach, FL 32114
800-874-0510
386-274-4210
386-274-4660 fax
www.tfaguide.com

Louisiana Recovery Association, Inc.

P.O. Box 435 Shreveport, LA 71162 joan@louisianarepossessions.com